

Notice of Allowability

Application No.

10/007,179

Examiner

Kenneth L. Bartley

Applicant(s)

TYSON-QUAH, KATHLEEN

Art Unit

3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on September 21, 2007.
2. ☒ The allowed claim(s) is/are 1 and 6-64.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. Receipt of Applicant's amendment and response filed on September 21, 2007 is acknowledged.

Response to Amendment

2. Claims 1, 6, 17, 19, 25-26, 33-34, 43, 55, 59, 62, and 64 are currently amended. Claims 2-5 have been canceled. Claims 1 and 6-64 are provided to be examined upon their merits.
3. Newly submitted abstract and title have been entered.
4. In response to the amendment, rejection of claims 1-23, 25-57, and 62-64 under 35 U.S.C. 102(b) and claims 24 and 58-61 under 35 U.S.C. 103(a) have been withdrawn.
5. The rejection of claims 1, 3-7, 9, 10, 14, 20-22, 25, 27, 28, 34-37, and 59 under nonstatutory double patenting have been withdrawn in response to the Terminal Disclaimer filed.
6. In response to the amendment, rejection of claim 1 under 35 U.S.C. § 112, 2nd paragraph has been withdrawn.

Allowable Subject Matter

7. Claims 1 and 6-64 are allowed.

8. Applicant teaches a method for managing payment, liquidity, and systemic risks in the settlement of transactions. During processing of a payment transaction, a risk filter routine determines whether to selectively reject a first instruction authorized for payment to a counterparty based on a user-supplied risk factor. An available balance is automatically generated based on the risk parameter, and payment is automatically rejected if the payment authorized by the first instruction exceeds the balance.

9. Based on the prior art search results, the prior art deemed closest to the allowed claims is U.S. Patent No. 5,717,989 to Tozzoli et al. Tozzoli et al. teaches trade transactions in goods and/or services and a "risk evaluation function," where each part of a transaction relates to a purchase order and criteria established by a funder.

However, Tozzoli et al. fails to teach or render obvious to one of ordinary skill in the art the following features:

- a. Generating at least one user-supplied risk parameter to selectively reject a first instruction authorized for payment by an account holder to a counterparty;
- b. Automatically generating an available balance for a counterparty based on a risk parameter, and payments made by and received from an account holder;
- c. Automatically rejecting payment authorized by a first instruction if the payment exceeds an available balance.

10. Dependent claims 6-64 are allowed for the reasons indicated above for independent claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably


accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth L. Bartley whose telephone number is (571) 272-5230. The examiner can normally be reached on Monday through Friday, 8:00 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jagdish Patel can be reached on (571) 272-6748. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

 12/6/07
JAGDISH N. PATEL
PRIMARY EXAMINER